

K. Great Brit. Geo. II.



*Read 1 Feb 1755—
Enacted 28 Geo. II. Private Acts, c. 29*

*212. K. 8
7*

A N
A C T
F O R

*Dividing and Inclosing certain Wastes and
Commons in the Manor of Calverley, in
the West Riding of the County of York.*



Whereas there are within the Manor of *Calverley*,
in the West Riding of the County of *York*, a
Common, or Moor, called *Calverley Moor*, Calverly Moor, 800 Acres.
otherwise *Bradford Moor*, otherwise *Pudsey Moor*, and several other Pieces or Parcels of
waste Ground, containing together by Esti-
mation eight hundred Acres, or thereabouts;
which at present yield little Profit to the Free-
holders and others, who have Right of Com-
mon upon the said Common or Moor and waste Grounds, but the
same, by an Inclosure, might be greatly improved. And whereas
Sir *Walter Blackett*, Baronet, is Lord of the said Manor of *Cal-*
verley, and also Impropiator of the Tythes arising within the said
Manor. And whereas the said Sir *Walter Blackett*, and other
Persons who have Right of Common in or upon the said Common or
Moor, and waste Grounds, are willing and desirous that the said
Common or Moor, and waste Grounds, should be divided and in-
closed by Commissioners in that Behalf to be appointed; in regard
the same will be a manifest Advantage to all the Parties interested
therein, and tend to the Improvement of their respective Estates.
But as the said Division and Inclosure cannot be effectually completed
A and

and established, to answer the Intention of the Parties interested in the same, without the Aid of Parliament;

May it please Your MAJESTY,

That it may be Enacted; And be it Enacted, by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That the said Common or Moor called *Calverley* Moor, otherwise *Bradford* Moor, otherwise *Pudsey* Moor, and other the Pieces of waste and Commonable Ground lying and being within the Manor of *Calverley* aforesaid, shall, on or before the twenty-ninth Day of *September* which shall be in the Year of our Lord One Thousand Seven Hundred and Fifty-nine, be set out, divided, and allotted by the Reverend *William Lamplugh*, Clerk, *John Smyth* of *Heath*, and *Samuel Lister*, Esquires, Commissioners appointed by this Act, and their Successors, or any two of them, in the Manner, and subject to the Rules, Orders, and Directions, and for the Purposes in and by this Act ordered, directed, and appointed.

Commissioners
impowered to
divide.

And, for the more just and regular Division and Distribution of the said Common or Moor, and Parcels of waste Grounds, called *Calverley* Moor, otherwise *Bradford* Moor, otherwise *Pudsey* Moor, and other the waste and Commonable Grounds within the Manor of *Calverley* aforesaid, so to be divided and allotted; and for the better ascertaining the same, It is hereby enacted, by the Authority aforesaid, That a Survey shall be made of the said Common called *Calverley* Moor, or *Bradford* Moor, or *Pudsey* Moor, and other the waste and Commonable Grounds within the said Manor of *Calverley*, some Time before the 29th Day of *September* 1756, and also, that on or before the 29th Day of *September* 1759, all the said Common or Moor, and waste and Commonable Grounds, shall by the said Commissioners, or any two of them, be set out, marked, and ascertained, by proper Stakes, Meets, or Land-Marks, and shall be divided, allotted, and ascertained unto and amongst the said Sir *Walter Blackett*, and all other Persons having a Right of Common upon the said Common or Moor, and Parcels of waste Grounds, in the Manner, and pursuant to the Rules, Orders, and Directions in and by this Act ordered, directed, and appointed.

Survey to be
made of the
said Moor.

And be it further Enacted, That the said Commissioners, or any two of them, shall and may, and they are hereby authorized and impowered to set out, assign, and allot unto and for the said Sir *Walter Blackett*, Lord of the said Manor of *Calverley*, as a Compensation for his Right and Interest in and to the Soil of the said Common or Moor, and Parcels of waste and Commonable Grounds, and his Consent to the Division and Inclosure of the same, one full Sixteenth Part (Quantity, Quality, and Situation considered) of the said Common or Moor, and Parcels of waste Grounds, in one entire Plot at the West End of the said Common, called *Bradford* Moor, or *Calverley*,

Commissioners
to set out one
Sixteenth Part
of the said
Moor to the
said Sir *Wal-
ter Blackett*,
as Lord of the
Manor, for his
Consent, at the
West End of
the said Moor.



Calverley Moor, or Pudsey Moor, over and above and exclusive of such share or Allotment of the said Common or Moor, and Parcels of waste grounds, as is herein after directed to be allotted to him in Lieu of, and as an Equivalent for his Right of Common in the said Common Moor, and Parcels of waste Grounds; and shall and may set out, assign, and allot so much, and such Part or Parts (not exceeding twenty Acres in the whole) of the said Common, Moor, or Parcels of waste Ground, or of any of them, as the said Sir *Walter Blackett*, and other the Freeholders or Proprietors of Lands within the Manor of Calverley aforesaid, or the major Part of them, shall think proper and convenient, the Rents and Profits whereof shall and may for ever hereafter be applied for and towards the Support and Maintenance of such Workhouse or Workhouses as shall or may be erected within the Manor of Calverley aforesaid, for the Relief and Employment of the Poor there, and the Payment of Salaries, and other incidental Expenses which may attend the same; and the Residue thereof (after such Sixteenth Part, and such Part or Parts as shall be assigned or allotted and set out for the Support of a Workhouse or Workhouses as aforesaid thereout deducted) shall be set out, assigned, and allotted unto and amongst the said Sir *Walter Blackett* and the several other Persons having a Right of Common upon the said Common or Moor, and Parcels of waste Grounds, or any of them, subject to the Rules, Orders, and Directions, in and by this Act ordered, directed, and appointed.

To set out a certain Part not exceeding 20 Acres, the Rents and Profits whereof to be for ever applied towards the Support of a Workhouse or Workhouses, as shall or may be erected within the Manor of Calverley.

The Residue to the said Sir *Walter Blackett* and other Persons having a Right of Common there.

Provided nevertheless, and it is hereby enacted and declared, That the Rents and Profits of such Part or Parts of the said Common, Moor, or waste Grounds as shall be allotted and assigned for and towards the Support of a Workhouse or Workhouses as aforesaid, shall, until such Workhouse or Workhouses shall be erected, or after the Erection thereof the same shall cease to be employed as a Workhouse or Workhouses, be paid and applied for and towards the Relief of the Poor within the Manor of Calverley aforesaid, and not otherwise.

Provided that said Rents, until such Workhouse erected, or after erected, shall cease to be employed, shall be applied for the Relief of the Poor within said Manor.

And it is hereby further Enacted, That the said Commissioners, or any two of them, shall and may, and they are hereby authorized and impowered, by all proper Ways and Means which to them shall seem requisite in that Behalf, to enquire what Messuages, Cottages, Lands, Tenements, and Hereditaments there are within the said Manor, to which a Right of Common upon the said Common or Moor, and Parcels of waste Grounds, either in the Hands or Possession of the Owners or Proprietors thereof, or lett to Tenants, Under Tenants, or Occupiers thereof respectively, for the Year ending the thirty-first Day of *December*, 1754, and how much the said several Messuages, Cottages, Lands, Tenements, and Hereditaments were respectively assessed at, for and towards the Land-Tax for the said Year of our Lord 1754. And that the said Commissioners, or any two of them, shall set out, assign, allot, apportion, and divide the Residue of the said Common or Moor, and Parcels of waste Grounds (after deducting and setting a Part, one Sixteenth Part thereof to the Lord of the said Manor, and such Part or Parts as shall be

Commissioners to inquire what Messuages, &c. there are, within the said Manor, that have Right of Common on the said Moor; and how much they were assessed to the Land-Tax for the Year 1754 and to allot Shares accordingly.

be

be assigned or allotted for the Support of a Workhouse or Workhouses as aforesaid,) to and amongst the several Persons having a Right of Common upon the said Common or Moor, and Parcels of waste Grounds, in Proportion as they were respectively taxed or assessed for and towards the Land Tax for the said Year of our Lord 1754, and not otherwise.

The Assessments to the Land-Tax for 1754 to be Directions to the Commissioners to allot, &c.

And it is hereby further Enacted, That the Assessment made for the Land-Tax for the said Year of our Lord 1754 shall be the Rule and Direction for the said Commissioners in setting out, assigning, allotting, apportioning, and dividing the said Common or Moor, and waste Grounds, to and amongst the said several Persons having a Right of Common upon the said Common or Moor, and Parcels of waste Grounds, within the Manor of *Calverley* aforesaid.

Commissioners not to give undue Preference, but to have regard to Quality, Quantity, and Situation, and to set out each Share in one entire Plot, or as near as can be conveniently done.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to empower the said Commissioners, or any of them, to give any undue Preference to the Parties interested in the said intended Division or Inclosure, but that the said Commissioners shall have a due Regard to the Quality as well as the Quantity and Situation of the Lands and Grounds so to be divided and allotted as aforesaid, and shall set out and allot the Share or Shares of each Person respectively (except the Share or Shares to be allotted to the said Sir *Walter Blackett*) in one entire Plot or Parcel, and as near to each particular Person's own Lands, Tenements, and Freeholds respectively, as the same can be conveniently done; and shall also set out, assign, and allot the Share or Part of the Residue of the Common called *Calverley Moor*, or *Bradford Moor*, or *Pudsey Moor*, to be allotted or assigned to him the said Sir *Walter Blackett* (after setting out and allotting the said Sixteenth Part, and such Part or Parts for the Support of a Workhouse or Workhouses as aforesaid) in one entire Plot, and contiguous and adjoining upon the said Sixteenth Part allotted and assigned to him, as Lord of the Manor of *Calverley* aforesaid, except such Share or Part as shall be allotted in Respect of his Tenements in *Farsley* and *Wadlands*.

Commissioners to set out Highways, Roads, &c.

Provided also, and it is hereby declared and enacted, That the said Commissioners, or any two of them, shall and may ascertain, set out, and appoint proper publick Highways and Roads in, and upon, and through the said Common or Moor, and Parcels of waste Grounds so to be inclosed, with the Assize and Breadth of the same Highways respectively, and also private Ways, Roads, and Water-Courses; and shall order and direct the same publick and private Ways, Roads, and Water-Courses to be made, maintained, and kept in Repair by such Person and Persons, Owners or Occupiers of such Lands so to be divided and inclosed, or by such other Ways and Means as to the said Commissioners, or any two of them, shall seem proper and expedient.

And, for preventing all Differences and Disputes relating to the said Division and Inclosure, It is hereby further Enacted, by the Authority

thority aforesaid, That immediately after the said Commissioners shall have compleated and finished the Division and Allotment of the said Common or Moor, and Parcels of Waste Grounds, pursuant to the Directions of this Act, they shall form and draw up an Award or Instrument in Writing, which shall express, specify, and contain the Quantity in Statute Measure of Acres, Roods, and Perches, contained in the said Lands and Grounds so intended to be divided and inclosed; and the Quantity of each and every Part thereof assigned and allotted to each of the Parties intituled to and interested in the same, and a Description of the Situation, Buttals, and Boundaries of the said Parcels and Allotments respectively; with Orders and Directions for Hedging, Fencing, and Ditching the same, and keeping such Hedges, Ditches, and Fences in Repair, and for making and laying out Publick and Private Roads, Ways, Passages, and Watercourses, in and through the same Premises; and Directions for making, repairing, and maintaining the same: And the said Award or Instrument shall also contain such other Orders, Regulations, and Determinations, as to the said Commissioners shall seem proper and necessary to be inserted therein, conformable to the Purport and Tenor of this Act; of which Award or Instrument there shall be two Parts fairly ingrossed upon Parchment, and signed by the said Commissioners, or any two of them, one of which Parts shall be lodged with the Lord or Lady of the said Manor of *Calverley* for the Time being, and the other Part thereof shall be inrolled in the Register's Office kept for the West Riding of the County of *York*, and when so inrolled shall be lodged in the Box or Chest wherein the Papers and Books relating to the Town of *Calverley* aforesaid are usually kept, to the end Recourse may be had to the same by any Person or Persons interested in the said Inclosure; and a true Copy of such Inrollment shall from Time to Time be admitted and allowed in all Courts whatsoever as legal Evidence of the same; and which Copy the Register of the said Office is hereby required to make and deliver to any Person or Persons requiring the same, he or they paying for such Copy after the Rate of two Pence *per* Sheet, reckoning seventy-two Words to each Sheet.

To prevent Disputes, Commissioners to make an Award, and express the Acres, Roods, and Perches, and the Quantity allotted to each Party, and Orders for hedging and fencing, and for making Ways, Roads, Watercourses, &c and for maintaining the same.

The Award to be inrolled in the Register's Office for the West Riding, and a true Copy to be Evidence.

And it is hereby further Enacted by the Authority aforesaid, That when the said Lands and Grounds hereby directed, and appointed to be divided and inclosed, shall be set out, ascertained and allotted by the said Commissioners, or any two of them, by such Instrument or Writing, as is herein before-mentioned, the several Persons to whom the said Lands and Grounds shall be allotted respectively, shall within Six Months after the Signing and Sealing the said Instrument or Writing, at their own Expences respectively, Inclose, Hedge, Ditch, Fence, and set out their several Lots, Shares and Proportions of the same; and such Part or Parts as shall be assigned or allotted for the Support of a Workhouse or Workhouses, or Maintenance of the Poor of *Calverley* aforesaid, the Overseer or Overseers of the Poor of *Calverley* aforesaid for the Time being shall inclose, hedge, ditch, and fence the same within the Time aforesaid, in such manner as the said Commissioners, or any two of them, shall appoint; and the said Overseer or Overseers shall be repaid his

After the Lands are allotted and the Award made, the Parties are to hedge and fence off their respective Shares.

or their Expences out of or by the then next Poors-Rate or Cefs to be laid on the Inhabitants of *Calverley* aforefaid.

After finishing the Division, and the Execution of the Award, all Right of Common to cease.

And it is hereby further Enacted, by the Authority aforefaid, That immediately after the finishing the faid Division and Allotment, and the Execution of the faid Award or Instrument, all Right of Common in, over and upon the faid Common or Moor, and Parcels of waste Grounds fo to be inclofed and divided as aforefaid, fhall ceafe and be extinguifhed; and the faid Lots and Parcels of Land fo to be allotted as aforefaid, fhall be held and enjoyed by the Perfons to whom the fame fhall be fo affigned and allotted refpectively, in the fame Manner, and by the fame Tenure as the refpective Lands, Tenements or Hereditaments, in right of or for which the faid Parcels of Land fhall be fo affigned or allotted are now holden

The Parties to accept their refpective Allotments within Six Months after making the Award; and, in Cafe of Refufal, to be excluded any Benefit.

And whereas it is requifite and neceffary that fome convenient Time fhould be fixed, for every Perfon intituled to any Part of the faid intended Inclofure, to accept of their refpective Allotments and Shares; Be it therefore Enacted by the Authority aforefaid, That all and every Perfon and Perfons fo intituled, fhall, and they are hereby required to accept his, her and their refpective Allotments and Shares within the Space of Six Months after the Execution of the faid Award or Instrument, and Notice in Writing affixed on the South Doors of the Parifh Church of *Calverley* aforefaid, and of the Chapels of *Pudsey* and *Idle* in the faid Parifh, for that Purpose; and in Cafe any Perfon or Perfons fhall neglect or refufe to accept his or her Share or Allotment within the Time before-mentioned, fuch Perfon or Perfons fo neglecting or refufing, fhall be totally excluded from having or receiving any Benefit or Advantage by this prefent Act; and alfo from any Eftate, Interelt or Right of Common whatfoever, of, in, or to the Lands or Grounds fo affigned or allotted to any other Perfon or Perfons by Virtue of or under this Act.

Guardians, &c. empowered to accept for Minors, &c.

Provided alfo, and it is hereby further Enacted and Declared, That the Guardians, Husbands, Trustees, Committees or Attornies of any Perfon or Perfons, being Minors under Coverture, beyond the Seas, or otherwife incapable by Law to accept fuch Allotments fo to be made as aforefaid; fhall be, and are hereby enabled and required to accept thereof for the Ufe of fuch Perfon or Perfons, fo incapacitated as aforefaid; and alfo that any fuch Perfon or Perfons, intituled to fuch Allotment in Remainder or Expectancy, upon any particular precedent Eftate, upon Neglect or Refufal of any Tenant in Poffeffion, or any Perfon intituled to fuch precedent particular Eftate, fhall be, and is and are refpectively hereby enabled to accept of fuch Allotment, in lieu and ftead of any fuch Tenant or Perfon fo intituled, and neglecting or refufing; and every fuch Acceptance refpectively fhall be, and is hereby declared to be, as valid and effectual, as if the Perfon or Perfons, to whom the fame fhall be made refpectively, were capable of acting for themfelves, or had not refufed or neglected as aforefaid; any thing herein contained to the contrary notwithstanding.

Provided

Provided always, That the Non-claim or Non-acceptance of any Guardians, Guardian, Husband, Trustee, Committee, or Attorney, shall not &c. Non-acceptance not to prejudice Rights of Infants, &c. exclude or prejudice the Claim or Acceptance of any Infant, Feme Covert, or any other Person under such Disability or Incapacity as afore-
said, who shall claim or accept within one Year after such Disability or Incapacity removed; or of any Person or Persons intitled as Heir, or in Remainder, after the Death of any Person dying under such Disability or Incapacity, who shall Claim or accept within one Year after his, her, or their Right, Title, or Interest, shall have descended, vested, or accrued.

Provided always, That nothing in this Act contained shall extend, or be construed, deemed, adjudged, or taken to revoke, make void, alter, or annul any Settlement, Deed, Will, or Lease whatsoever, or to prejudice any Person or Persons having any Right, or Claim of Dower, Jointure, Rent Service, Debt, Charge, or Incumbrance, in, out, of, upon, or affecting any of the Lands or Grounds so intended to be divided and inclosed, or any Part or Parcel thereof; but that the several Lands and Grounds, so to be assigned and allotted upon the said Division to the several Proprietors respectively, shall immediately after such Allotment be, remain, and enure, and be held and enjoyed, and the several Persons to whom the same shall be assigned and allotted, shall from thenceforth stand and be seized and possessed thereof respectively, subject and liable to such and the same Wills, Limitations, Conditions, Settlements, Provisoes, Remainders, Reversions, Leases, Debts, Charges, and Incumbrances, as the several Messuages, Houses, Cottages, Lands, and Grounds, in respect whereof such Allotments were made to them respectively, were and stood severally subject and liable unto at the Time of such Assignment or Allotment.

Provided also, and be it further Enacted, by the Authority Not to preju-
aforesaid, That nothing in this Act contained shall prejudice, lessen, dice the Right
or defeat the Right, Title, or Interest of him the said Sir *Walter* of the Lord of
Blackett, his Heirs, or Assigns, of, in, or to the Royalties and the Manor as
Seigniories incident and belonging to the Manor of *Calverley* aforesaid; to the Royal-
ties.
but that he the said Sir *Walter Blackett*, and all and every Person and
Persons claiming under him, or in Trust for him, as Lord of the
said Manor, and all other succeeding Lords of the said Manor for the
Time being, shall and may at all Times for ever hereafter hold
and enjoy all Rents, Services, Courts, Perquisites, and Profits of
Courts, Goods and Chattels of Felons and Fugitives, Felons of them-
selves, and put in Exigent, Deodands, Waifs, Estrays, Forfeitures,
and all other Royalties, Jurisdictions, and Pre-eminences whatsoever
to the said Manor incident, appendant, or belonging, or appertaining
(other than and except his Right of Common, as Lord of the Manor
of *Calverley* aforesaid and all the Mines and Quarries of Stone and
Coal, and other Minerals, lying, being, or to be found in any of the
Shares or Allotments made to the several other Persons, in respect
of their several Estates within the said Manor,) in as full, ample, and
beneficial manner, to all Intents and Purposes, as he or they could
have held and enjoyed the same in Case this Act had not been made.

ՀԻՆՈ

The Lord of
the Manor
impowered to
make Drains
upon any Part
of the said
Moor.

And whereas it may be necessary and convenient for him the said Sir *Walter Blackett*, or other Person or Persons claiming under him, as Lord or Lords of the said Manor of *Calverley*, or Owners or Proprietors of the Shares and Allotments of the said Common or Moor, and Parcels of Waste Grounds to be allotted to the said Sir *Walter Blackett*, as aforesaid, to make Drifts, or drive Mines, or Soughs, and make or sink Air-Pits through, in, and upon the said several Shares or Allotments to be assigned, and allotted to the several other Owners or Proprietors of Land within the said Manor of *Calverley*, in order to drain, win, get, or work the Mines of Coal or Stone, in such his Shares or Allotments of the said Lands and Grounds; Be it therefore Enacted, by the Authority aforesaid, That he the said Sir *Walter Blackett*, and all others claiming under, or in Trust for him, as Owners or Proprietors of such Allotments or Shares of the said Lands and Grounds as shall be allotted or assigned to him as aforesaid, shall and may have full and free Liberty, Power, and Authority, from Time to Time, and at all Times for ever hereafter, as Occasion shall require, to make, or cause to be made Drains, Drifts, Soughs, Mines, Trenches, Air-Pits, or other Pits, in, through, or upon any Part or Parts of the said Common or Moor, or Parcels of Waste Grounds so to be inclosed and divided as aforesaid, in order to win, drain, get, and work any of the Mines of Stone, Coal, or other Minerals, which shall or may be found in any of the Lands or Grounds so to be assigned or allotted to him the said Sir *Walter Blackett* as aforesaid, without any Interruption or Disturbance of, or by the several Persons to whom the same shall be allotted or assigned, or any of them, or any Person or Persons claiming under them or any of them.

In Case the
Lord of the
Manor dig and
sink for Mines,
he is to make
Satisfaction
for Damage.

Provided nevertheless, and it is hereby further enacted and declared by the Authority aforesaid, That in Case the said Sir *Walter Blackett*, or any succeeding Owner or Proprietor of the Shares or Allotments of the said Common, Moor, or Waste Grounds, or any Person or Persons claiming under, or in Trust for him or them, shall, after such Inclosure and Division made as aforesaid, make or cause to be made, sunk, or driven any Mines, Drains, Soughs, or Pits within, upon, or under any of the Allotments so to be made as aforesaid; then, and in such Case, such Person or Persons, making, driving, or sinking the same Mines, Drains, Soughs, or Pits, shall make reasonable Satisfaction for the Damage and Spoil of Ground occasioned thereby, to the Person or Persons who shall be in Possession of such Ground at the Time of such Damage and Spoil.

The several
Allotments to
be free from
the Payment
of any Tythes
to the Impro-
priator.

Provided also, and it is hereby further enacted, by the Authority aforesaid, That neither he the said Sir *Walter Blackett*, or any other Person or Persons whatsoever, as Impropriator or Impropriators of the Tythes of the said Manor of *Calverley* aforesaid, shall have, receive, or take the Tythes of any Corn, Grass, or Hay, that shall grow, renew, increase, or arise upon any of the Shares or Allotments to be assigned to the other Owners or Proprietors of Lands within the said Manor; but that the same Shares or Allotments shall after

after the executing the said Award, and the inclosing the said Shares or Allotments, for ever hereafter be held and enjoyed free and exempt from the Payment of Tythes of Hay, Corn, and Grass, or any other Tythe, to the said Sir *Walter Blackett*, or any succeeding Impropiator or Impropiators of the Tythes of the said Manor, any Act of Parliament or other Authority, Usage, or Custom whatsoever to the contrary, in any wise notwithstanding.

And be it further Enacted, by the Authority aforesaid, That Commissioners the said Commissioners, or any two of them, shall, and they are hereby obliged to give Notice in the Parish Church of *Calverley* aforesaid, upon some *Sunday* Morning immediately after Divine Service, and also in the *York* and *Leeds* News-Papers, of the Time and Place of the first Meeting of the said Commissioners for the Execution of the Powers hereby vested in them, at least Fifteen Days before such Meeting, and shall and may at such and every other Meeting appoint such Times and Places for their subsequent Meetings, as to them shall seem meet, giving Notice from Time to Time of such subsequent Meetings at the Parish Church and Chapels aforesaid, on the *Sunday* next preceding the same.

Commissioners to give Notice of their first Meeting at the Parish Church of Calverley, and the York and Leeds News-Papers.

And be it further Enacted, by the Authority aforesaid, That if any of the said Commissioners hereby nominated and appointed, or any of the Commissioners hereafter to be elected and chosen in manner hereafter mentioned, shall die, or refuse to act; that then, and so often it shall and may be lawful to and for the then surviving or acting Commissioner or Commissioners, by Instrument under his or their Hand and Seal, or Hands and Seals, to elect or chuse one or more Person or Persons, residing in the said West Riding of the County of *York*, not interested in the said Common or Moor, or Parcels of Waste Grounds, in the Place or Stead of such Commissioner or Commissioners so dying, or refusing to act; which said Commissioners so to be from Time to Time elected or chosen, shall have, and are hereby enacted to have the same Power and Authority to put this Act of Parliament in Execution, as if they had been respectively named and appointed herein; of which said Instrument there shall be two Parts, one whereof shall be lodged with the Lord or Lady of the said Manor of *Calverley* for the Time being, and the other Part thereof shall likewise, after the Execution thereof, be inrolled in the said Register's Office for the said West Riding; and when so inrolled, shall be lodged in the said Box or Chest wherein the Papers and Books relating to the said Town of *Calverley* are usually kept, to the end Recourse may be had to the same by any Person or Persons interested in the said Inclosure as aforesaid, and a true Copy of such Inrollment shall be made and given in Manner aforesaid, and shall be allowed and admitted as Evidence in all Courts of Record as aforesaid.

Commissioners refusing to act, or dying, the Survivors to chuse new ones.
Instrument to be inrolled in the Register's Office.

And be it further Enacted, by the Authority aforesaid, That the Charges and Expences of obtaining this present Act of Parliament, and of surveying, measuring, allotting, and setting out the said Common or Moor, and Parcels of Waste Grounds, and preparing, making, and executing the said Award or Instrument, and inrolling the same, shall be borne and defrayed by the said Sir *Walter Blackett*, his Heirs and Assigns.

The Charges of this Act, &c. to be paid by Sir Walter Blackett, his Heirs, and Assigns.

All Disputes
to be settled
by the Com-
missioners,
and their
Award to be
final.

And whereas Disputes or Differences may arise by, between, or amongst some of the Owners or Proprietors of the Lands within the said Manor of *Calverley*; or by, between, or amongst some other Persons, Proprietors, Owners, or Occupiers of Land contiguous to the said Moor or Common, and Waste Grounds so to be inclosed as aforesaid, touching the Right of Common in, or upon the said Common or Moor, and Parcels of Waste Grounds, or some of them, which may obstruct or delay the said Inclosure and Division; for Remedy whereof, Be it Enacted, That where any such Dispute or Difference shall arise, it shall and may be lawful, to, and for the said Commissioners, or any two of them, to hear and determine the same; and the Award of the said Commissioners, or any two of them, to be made in Writing under their Hands and Seals, within six Months after such Determination, shall be final and conclusive to all the Parties concerned.

The Commis-
sioners may
appoint two
other Persons
to be joined
with them as
Commission-
ers for divi-
ding said
Common, and
determining
Disputes; and
in that Case
the Award of
any three or
more of them
to be final.

And whereas the setting out and allotting the said Common or Moor and Parcels of Waste Grounds into Shares for the Persons to whom the same are to be allotted, and the ascertaining and determining any Claims or Disputes touching Right of Common in and upon the said Common or Moor, and Parcels of Waste Grounds, may happen to be attended with great Trouble and Difficulty to the Commissioners herein before-named: It is therefore hereby Enacted by the Authority aforesaid, That if the said Commissioners shall think it requisite and necessary to have any further Assistance for those Purposes; it shall and may be lawful to and for the said Commissioners herein before-named, by Writing under their Hands and Seals, to nominate and appoint two other Persons to be joined with them as Commissioners, for the Purposes of setting out and allotting into Shares, for the Persons to whom the same are to be allotted respectively, such Common or Moor, and Parcels of Waste Grounds, and settling and determining such Differences and Disputes relating to Right of Common in and upon the same; and in that Case the Award of the said Commissioners nominated and appointed, and to be nominated and appointed, by and in Pursuance of this Act, or of any three or more of them, shall be final and conclusive to all the Parties concerned.

West Lane
and Shell
Lane not to
be used as
common
Highways.

Woodhall and
Farsley Lanes
to be the
Highways.

And whereas there are two Lanes or Roads, one called *West-Lane*, leading from the Village of *Calverley* to *Bradford*; and the other called *Shell-Lane*, leading from *Calverley* aforesaid, to *Pudsey*; which said Lanes are of no Service to the Inhabitants of *Calverley* aforesaid, or to the Public in general, in regard there are two other Lanes or Roads, the one called *Woodhall-Lane*, and the other called *Farsley-Lane*, equally convenient for all Persons having Occasion to pass to or from the Places above-mentioned; It is therefore further Enacted, by the Authority aforesaid, That from and after the Passing of this Act, it shall not be lawful for any Person or Persons whatsoever to travel along the said Lanes or Roads, called *West-Lane* or *Shell-Lane*, with any Wain, Cart, or other Carriage, or with Horses, or other Beasts of Burthen, laden or unladen, or on Foot or Horseback, or in any other manner to use the said Lanes, or either of them as Highways, or a Highway; but that the same shall

shall and may by the said Commissioners, or any two of them, from thenceforth be shut up, fenced off, discontinued, and disused other than and except such Way and Passage as shall or may by the said Commissioners, or any two of them, be deemed or judged necessary or convenient for the several Occupiers of Houses and Lands, near and contiguous to the said Lanes, or either of them, for the more convenient Enjoyment and Occupation thereof.

Saving always to the King's Most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their Heirs and Successors, Executors, and Administrators, (other than the Lord of the Manor of *Calverley* aforesaid, and the Owner of the Improprate Tythes of the said Manor for the Time being, and all other Person and Persons intitled to any Right of Common in, and upon the said Common or Moor, and Parcels of Waste Grounds, or any of them so directed to be inclosed as aforesaid, his, her, and their Heirs, Successors, Executors, and Administrators respectively) all such Right, Title, and Interest, as they, every, or any of them had, and enjoyed of, into, or out of the said Common or Moor, and Parcels of Waste Grounds so directed to be inclosed as aforesaid, before the Passing of this Act, or could or might have had and enjoyed in Case this Act had not been made.

A C T

F O R

Dividing and Inclosing certain
Wastes and Commons in the Ma-
nor of Calverley, in the West
Riding of the County of York.

1755.

John Chapman Thwaites

Edm^d W^m Campbell

John W^m Proun & Stephen

Paul St James's Street

